

## **REMARKS**

In response to the Office Action dated July 2, 2007, Applicants respectfully request reconsideration based on the attached amendment and at least the following remarks. Applicants respectfully submit that the claims as presented herein are in condition for allowance.

The Examiner has stated that claims 13-16 are allowable.

Claims 1-4, 10 and 13-16 are pending in the present application. Claims 1 and 10 have been amended. More specifically, subject matter which the Examiner has stated is not taught or suggested by any of the references cited in the Office Action has been incorporated into amended independent claim 1, as described in further detail below. No new matter has been added by the amendments. Applicants respectfully request reconsideration of claims 1-4 and 10 based upon the amendments and at least the following remarks.

### **Claim Rejections Under 35 U.S.C. § 103**

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art and that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996).

Claims 1-3 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Colgan, et al. (U.S. Patent No. 6,529,189 B1, hereinafter "Colgan") in view of Mumford (U.S. Patent No. 6,377,249 B1, hereinafter "Mumford"), as stated on pages 2-3 of the Office Action. Applicants respectfully traverse for at least the following reasons.

A conventional light pen is turned on when the conventional light pen makes contact with a surface of an LCD panel. However, when the conventional light pen makes contact with the surface of the LCD panel, the surface of the LCD panel may be damaged. Therefore, in order to reduce damage to the surface of the LCD panel, the light pen of the present invention senses light emitted from the LCD panel to be turned on when the light pen approaches the LCD panel, instead of when the light pen makes contact with the LCD panel. However, environmental light must also be considered. Therefore, in order to turn on the light pen only when the light pen approaches the LCD panel, the control module in claim 1 outputs a control signal in response to a sensing signal when the level of the sensing signal is higher than a level of a reference signal.

It is respectfully submitted that neither Colgan nor Mumford, either alone or in combination, disclose, teach or suggest the invention as recited in amended independent claim 1. Colgan does not disclose, teach or suggest the photo detective module. Further, Mumford does not disclose, teach or suggest the light generating module. Therefore, even if Colgan and Mumford were to be combined with each other, Colgan and Mumford cannot teach or suggest the organic combination of the photo detective module and the light generating module.

More specifically, neither Colgan nor Mumford, either alone or in combination, disclose, teach or suggest a photo detective module that is configured to detect a first light inputted from an external source to output a sensing signal of which level is changed in accordance with an intensity of the first light, the photo detective module being disposed in the body; a control module that is configured to output a control signal in response to the sensing signal when the level of the sensing signal is higher than a level of a reference signal, as recited in amended independent claim 1.

Thus, Applicant respectfully submits that claim 1, including claims depending therefrom, i.e., claims 2-4 and 10, of the present invention are patentable over the cited references.

The Examiner starts that Colgan teaches all elements of claim 3 except *the photo detective module includes a photo transistor or a photo diode*, which the Examiner further states is disclosed primarily in column 6, lines 30-46 of Mumford.

Independent claim 1, from which claim 3 depends, is submitted as being allowable for defining over Colgan in view of Mumford, as discussed above.

Furthermore, it is respectfully submitted that *the photo detective module includes a photo transistor or a photo diode* as allegedly taught or suggested by Mumford or any other disclosure of Mumford does not cure the deficiencies noted above with respect to Colgan.

Thus, Applicant respectfully submits that claim 3 of the present invention is patentable over the cited references.

Accordingly, it is respectfully submitted that the rejection of claims 1-3 under 35 U.S.C. § 103(a) be withdrawn.

Claims 4 and 10 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Colgan in view of Mumford and in further view of Traub (U.S. Patent No. 3,911,270, hereinafter "Traub") as stated on pages 3-4 of the Office Action. Applicants respectfully traverse for at least the following reasons.

The Examiner states that Colgan in view of Mumford discloses all of the elements of claims 4 and 10 except *an opening at the end of the body and a tip having a cylinder flange shape*, which the Examiner further states is disclosed primarily in FIG. 1 and column 2, lines 25-31 and 54-58 of Traub.

Independent claim 1, from which claims 4 and 10 depend, is submitted as being allowable for defining over Colgan in view of Mumford, as discussed above.

Furthermore, it is respectfully submitted that *an opening at the end of the body and a tip having a cylinder flange shape* as allegedly taught or suggested by Traub or

any other disclosure of Traub does not cure the deficiencies noted above with respect to Colgan in view of Mumford.

Accordingly, it is respectfully submitted that the rejection of claims 4 and 10 under 35 U.S.C. § 103(a) be withdrawn.

**Conclusion**

In view of the foregoing remarks distinguishing the prior art of record, Applicants respectfully submit that this application is in condition for allowance. Early notification to this effect is requested. The Examiner is invited to contact Applicants' attorneys at the below-listed telephone number regarding this Amendment or otherwise regarding the present application in order to address any questions or remaining issues concerning the same. If there are any charges due in connection with this response, please charge them to Deposit Account 06-1130.

Respectfully submitted,

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Date: October 2, 2007